

# THE BARBER COUNTY INDEX.

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State and Society

MEDICINE LODGE, KANSAS, OCT. 13, 1909.

NO. 22

## Col. MacGregor Sues County

Col. John MacGregor, as agent for his wife, L. E. MacGregor, instituted an injunction proceeding, through his attorneys, Noble & Tinscher, last Wednesday, against the board of county commissioners and the county clerk in the tax matter which has been in controversy since March. Col. MacGregor sold his farm east of town a year ago to H. W. Skinner, receiving in part payment a residence in the city, and the two entering into a written contract to cover a balance of \$6,000.00. He refused to list this sum for taxation and Assessor Stout listed it in his official capacity. The board sustained the assessor and Col. MacGregor appealed to the state tax commission. The commission dismissed the appeal for lack of jurisdiction, claiming that it was purely a question for the courts to determine. The injunction petition will be heard by Judge Gillett this week.

Col. MacGregor's affidavit states that the deal between him and Mr. Skinner was merely to sell an option on his farm, the option running five years, and if at the end of that time Mr. Skinner did not pay the balance due, he (Skinner) was to forfeit the town property. The contract drawn up at the time of the deal specifies a note and interest, but this part of the contract is repudiated as a mistake of the attorney drawing it.

It was brought out at the hearing before the commissioners last week that this \$6,000 was recently used in the purchase of another farm and this showing made the board unanimous in deciding the case in favor of the county. Heretofore one member of the board was favorable to Col. MacGregor. Now is a good time to settle this matter. There will be cases like it frequently and it should be brought to a focus. The case will in all probability be carried to the supreme court.

## Fish Dying in Hargis Lake

H. E. Whitney and Dr. Conner of this city went down to Hazelton last week to place duck blinds on Hargis lake, which is situated on the Barber county line between Hazelton and Corwin, to get ready for the fall shooting. Mr. Whitney brings home the report that there are thousands of fish dying in the lake on account of the low water. They found countless numbers of channel cat fish, buffalo and carp dead on the banks and in the shallow water, some of them quite large in size. The lake is well stocked with fish yet alive, but unless we have a considerable amount of rain in the near future the lake will not contain sufficient amount of fresh water for the fish not yet affected by the low water of an alkali nature.—Anthony Bulletin.

## Who Knows David Burk?

City Marshal Stevens received a letter a few days ago from Martha A. Burk, 2310 Santa Fe Avenue, Los Angeles, California inquiring about her son, David Burk, who has disappeared. The letter follows: "Mr. Chief of Police: "Will you be so kind as to help me locate my son, Charles David Burk? His father died February 22, 1907 and left an estate to be divided among three sons. Charles David is the second son. I am still holding the body for burial, to see if we can find him. I wish you would give this to some of your leading papers and request them to publish it."

MARTHA A. BURK  
2310 Santa Fe Avenue,  
Los Angeles, California.

## The Barber County Club at K. S. A. C.

The Barber County Club at the Kansas State Agricultural College, met Friday, October 1st, and elected the following officers:

R. M. Platt, President.  
Archie Findley, Vice President.  
Miss Lucy Platt, Secretary.  
Walter Robinson, Treasurer.  
Miss Mary Inslee, Marshal.

This is the second year of the club and it seems to be prospering as we have all the old members back and several new ones.

The club is glad to welcome Miss Ermine Osborne back who has been out for the last year.

R. M. P.

W. T. Collins, Kirk Collins and Dick Collins went to Wichita yesterday to attend the I. O. O. F. Grand Lodge.

## County Commissioners

The board of county commissioners were in session on Monday, Tuesday and Wednesday of last week. The usual allowance of bills was first disposed of and then the following business was transacted:

F. E. Read and Waldron Chase were appointed to assist Probate Judge Garrison in checking up County Treasurer Warren at the close of his official term October 11, 1909.

F. B. Nurse, H. A. Tedrow and P. H. Parr of Mingona township were appointed to appraise school land as follows: Sw 16-31-12; ne 16-31-12; se 16-31-12; se 16-31-14; sw, sw 36-31-14.

Wm. Ward, W. E. Fulton and Geo. Lott of Sun City were appointed to appraise the one of 16-30-15.

H. Tisdale was granted a certificate of error for \$10.76 on account of double assessment of personal property in 1908.

R. L. Robinson was appointed township clerk of Hazelton on account of vacancy by removal of former clerk.

A Heelin was appointed trustee of Lake City township to fill the vacancy caused by the removal of Verd Thrasher to Sun City.

The road petitioned for by F. P. Newman and others of Medicine Lodge township was granted, without damages and crossings made as ordered by viewers.

W. R. Lepper of Sheron township was granted a certificate of error on a valuation of \$700 on lots 1, 2 in 2-32-10 on account of erroneous assessment in 1908.

Coupons amounting to 5243 were canceled and destroyed.

Ed Boots, H. I. Tilden, C. C. Phipps and W. H. Holmes of Isabel presented a petition to the board on Wednesday asking for the incorporation of the city of Isabel. The petition was found regular in all respects and the prayer was granted. The first city election was set for Tuesday, October 26th.

The board took a recess Wednesday afternoon until Tuesday of this week, when it re-convened to approve the petitions of the township of Elwood calling a railroad bond election, official notices of which appear in this paper this week.

## An Excellent Show

"The Cowboy, The Indian and The Lady" produced here Friday night, in spite of the downpour of rain, was better than anticipated. It is a beautiful production of mingled tragedy and romance illuminating early settlement when the Indian and cowman were battling for the supremacy, with Uncle Sam as the arbiter. The love affairs all terminated the right way and the cowboy, through many reverses, becomes the real conqueror.

The company has an extraordinary orchestra and band which is always a safe index to a troupe's true merit.

## More Revenue

Chas. Wells, Kirk Collins and T. A. Watkins contributed to the city treasury on Saturday. The usual charge of drunkenness was preferred. Wells and Collins stood trial and were found guilty by Police Judge Kidd. Each was fined \$10 and costs. Wells's bill was \$17.00 and Collins's was \$16.50. Watkins did not fight the case and was fined only \$5. His bill was \$11.

The alleged drinking took place Friday afternoon and night, during show time.

City Marshal Stevens rounded up the trio and City Attorney Tinscher and Police Judge Kidd did the rest.

From a letter received from C. C. Lewis to forward his paper to Mesa, Arizona, we take it that he and Mrs. Lewis have recently removed from Prescott to Mesa. He sends regards to Barber county friends.

In reporting a certain social event last week, the Kiowa Journal says: "The hostess very pleasantly surprised the club by serving refreshments." The inference is that the club is not in the habit of serving. Imagine a club meeting without refreshments! That's too dry, even for Kiowa.

Miss Carrie Smith has returned to Geuda to stay about two more weeks.

## NOTICE To Piano Buyers

If you intend to buy a PIANO and will notify me and then buy a Piano within 60 days thereafter, I will make you a present of \$5.00, no matter where or from whom you buy your Piano. Just buy one somewhere. I mean just what I say. I will give you a \$5 bill.

*H. Fisher, Coldwater, Kans.*

## Matrimonial

John E. DeWitt and Ethel Clough were united in marriage by Probate Judge S. P. Garrison in this city on Tuesday, October 5, 1909 at 3 o'clock p. m.

The groom, known among his acquaintances as Earl DeWitt, is the oldest son of M. P. DeWitt and wife of this city. He is a young man of the highest integrity, industrious and shrewd in business. He grew up in Barber county, was raised a farmer and is well schooled in that calling which of itself assures a full measure of success to him in his new sphere.

The bride is a daughter of Irvin Clough and wife of Sharon township. She is one of Sharon's fairest daughters and is highly esteemed by a large number of friends for her womanly graces, her cordial nature and her countless charming virtues.

With their hosts of well-wishing and admiring friends, The Index desires to be numbered in wishing Mr. and Mrs. DeWitt years upon years of joys and successes.

Ed Harding of Valley township and Miss Christi Suhler were married in Pratt county October 5th. They will reside on the groom's father's farm. Mr. Harding's parents will move to Pratt.

## Contest to Close October 30th

The Index's corn contest will close on Saturday, October 30th. All who desire to compete for any of the prizes must have their displays here on or before that date.

There are four prizes to be awarded:

First—\$3 and one year's subscription for the three best ears of corn, any variety.

Second—\$2 and six months' subscription.

Third—\$1 and three months' subscription.

Fourth—\$1.50 each for best two heads of cane and kafir corn.

No limit is placed on numbers in display but prizes will be awarded on three ears only.

No person will be awarded more than one prize.

## Rev. Spiers Called

The First Baptist Church of this city has called the Rev. C. J. Spiers as regular pastor. Rev. Spiers preached three sermons here during the past two weeks and all who heard him enjoyed them very much. He also preached a trial sermon at Wellington and could have taken a charge there but he preferred to come here.

The Baptist congregation will resume regular services again, beginning next Sunday.

Rev. Spiers comes here from Dodge City.

S. J. Ruggles of Coldwater arrived on Monday to visit a few days with his brother, Robert Ruggles.

The regular meeting of the Eastern Star will occur Monday, Oct. 18th. All officers and members are requested to be present at 7:30 sharp.

There was a nice volume of smoke in front of R. R. Froman's garage yesterday morning. The tank in which pitch and tar were being boiled for a roofing solution, ran over and the flames soon covered the ground in the immediate vicinity. Aside from the tar and pitch consumed, there was no damage.

## APPLES

A car of nice hand picked apples will be on the track at Medicine Lodge, Tuesday, October 19th. Everybody be on hand and get your winter's supply of apples.

## Railroad Bond Election

Jacob Achenbach of Hardtner and J. H. Morgan of Capron, Oklahoma were before the county commissioners on Tuesday of last week arranging for calling railroad bond elections in Elwood and Aetna townships. The official notices appear in The Index this week.

The company which is building The Kiowa, Hardtner & Pacific railroad, from Kiowa to Hardtner, has determined to extend the road west to Colorado provided it can get sufficient aid from the territory through which it proposes to build.

The citizens of southern Barber have long been working against great odds for a railroad and we are glad to know that their labors are at last bearing fruit.

Each of these two townships is asked to vote \$30,000 in exchange for a like amount of the capital stock of the company. There is every indication that the aid will be extended. So far as we have heard, the voters of both townships are nearly unanimous for it.

The election in Elwood township will be held on Tuesday, November 16th. The Aetna election date has not yet been designated.

Mrs. M. C. Beasley has taken a clerkship in J. C. Richardson's store.

Miss Eva Taber and mother have returned from their visit in Missouri.

Mrs. Olive Thomas went to Wichita yesterday to represent the Rebekahs of this city at Grand Lodge.

There will be a called meeting of the M. E. ladies' aid society at the usual place to-morrow (Thursday) afternoon, at 2 o'clock.

J. D. Houston, of Wichita, arrived yesterday morning to attend district court. He is one of D. M. Circle's attorneys in the Potter-Circle fuss.

Mrs. Minnie P. Purke, Grand Matron O.E.S., will visit with Lorraine Chapter Thursday, the 21st. All members are requested to be present. A cordial invitation is extended to all visiting members.

W. S. Gant and his brother, J. L. Gant, are expected home from Pueblo this week. Joe has improved very much in his sickness and a letter received by the relatives Monday states that he will have sufficient strength to make the trip home, in a few days.

As I shall not operate my greenhouse during the ensuing winter, I now offer my entire stock of potted and field grown plants, consisting of Ferns, Geraniums, Sprengeri's, etc., for sale at wholesale prices. Peonies, large undivided field grown clumps. Now is the time to plant peonies.—Jno. L. Brady, Medicine Lodge, Kansas.

## District Court in Session

The October term of the district court of Barber County was convened by Judge Gillett Monday afternoon, and the first day's business disposed of is as follows:

Kansas Mutual Hail Association vs. E. Pray, findings and judgment for defendant.

Kitty Douglass vs. Eben Douglass, dismissed. The parties settled their troubles and are living together again.

Glenn vs. Aten, dismissed.

J. C. Titus vs. G. E. Goff, dismissed on motion of plaintiff.

Hague vs. Bullers, dismissed on motion of plaintiff.

State vs. Frank Herron, defendant enters plea of guilty to assault and battery and is sentenced to pay a fine of \$10 and costs, amounting to a total of \$17.05. This is the final chapter in the Herron-Moss script fight near Nashville, which occurred in the summer.

State vs. Foster, dismissed as to Fred Robertson.

Presnall vs. Presnall dismissed, settlement having been made.

Robt. Tyrell vs. Ada Tyrell, decree of divorce granted.

Judge Gillett ordered 18 additional jurors drawn Monday evening. They are as follows:

J. E. Circle, Kiowa.  
J. P. Hall, Medicine Lodge.  
L. A. Draper, Lake City.  
K. F. Rudolph, Kiowa.  
J. F. Fisher, Medicine Lodge.  
S. T. Ishmael, Kiowa.  
L. W. Chapin, Medicine Lodge.  
A. Hada, Eagle.  
C. F. Harding, Medicine Lodge.  
D. W. Brown, Sharon.  
W. B. Duncan, Medicine Lodge.  
Geo. Mote, Aetna.  
A. A. Smith, Mingona.  
F. R. Hayes, Medicine Lodge.  
Conrad Baker, Eagle.  
G. W. Bankin, Sharon.  
Floyd Fullerton, Kiowa.  
E. F. West, McAdoo.

Final naturalization papers were granted to John William Kolb of this township who renounced all allegiance to old Switzerland and became a full fledged American citizen.

Alfred Luther made a similar application but on account of his having moved back to Switzerland and remaining there sixteen months, his petition failed. The law is clear that a man must reside in the United States continuously five years before he can become a citizen, and Alfred will have to begin over again.

Yesterday was given over largely to presentation of motions in different cases in order to clean up all preliminary matters before the jury is called.

The following criminal cases have been set for trial:

State vs. Circle, Oct. 13th.  
" vs. Hargis, Oct. 14th.  
" vs. Seates, Oct. 15th.  
" vs. Foster, Oct. 15th.  
" vs. Harding, Oct. 16th.  
" vs. Shelton, Oct. 18th.  
" vs. Kociell, Oct. 18th.  
" vs. Chamberlain and Carey, Oct. 19th.  
" vs. Hall, Oct. 20th.

For Sale—A farm of 80 acres, 2 1/2 miles from this city. Good terms. W. L. Utterback.

Mrs. Ida Lasswell was called to Enid yesterday by a message stating that her mother, Mrs. Morlan, was seriously ill.

A. J. Hargis and son, Joe, arrived from Wichita Monday to be on hand in the Hargis-Shmidl assault case to be tried in district court this term.

I have a customer for a 320-acre farm. Must be reasonably well located, some improvements, and at least 80 acres that will grow alfalfa. A. M. Houchin, office in Citizens State Bank.

Amarda J. Potter, prosecuting witness in the case of State vs. Circle, arrived from Missouri the first of the week to again have her say in court and to give expert testimony on the value of drug stores, sandy land and the latest tricks in trades.

Mrs. Vina Macy sends The Index a nice collection of the Seattle Exposition souvenir folding post cards, showing many different scenes at the big fair now about to close. They are very beautiful and attractive.

I. M. Gorman, formerly of this city, who has been telegraph operator at Kiowa for the past ten years or more, is preparing to move to Texas, according to the Kiowa News-Review. Mrs. Gorman is a daughter of A. Langhart and wife of this city.

## A Bargain in Plants

As I shall not operate my greenhouse during the ensuing winter, I now offer my entire stock of potted and field grown plants, consisting of Ferns, Geraniums, Sprengeri's, etc., for sale at wholesale prices. Peonies, large undivided field grown clumps. Now is the time to plant peonies.—Jno. L. Brady, Medicine Lodge, Kansas.

Fish, Oysters and Celery at Cole & Son's meat market on Friday.

The Pythian Sisters will hold their next regular meeting at the K. P. hall tomorrow (Thursday) night. Every member is urged to be present.

Louis Bissantz of Sun City was here to attend the Blondin show Friday. The manager is Louis's nephew and hence he had all the privileges of the big tent.

C. N. Marshall writes from Butte, Montana, to friends here, that he ran into a 3-inch snow there a few days ago. This gives us a tip as to the source of our recent chilly days.

Pawla & Brett's moving pictures to-night. Last Wednesday night's films were especially fine. If you enjoy this kind of an entertainment do not fail to attend these exhibitions.

Several Medicine Lodge stockmen attended the Spangler hog sale east of Sharon on Tuesday of last week. The sale was largely attended and hogs sold well, bringing from \$30 for pigs up to \$104 for grown hogs. This is the finest Poland China farm in this part of the state.

R. L. Groendycke took charge of the office of county treasurer yesterday, October 12th, and is doing the business like an old hand. It was real kind of the Cresset to begin "Bob's" term a week ahead of the statutory time and if he can only draw the salary for the additional week it will be all right.

Misses Margaret and Addie Anderson, who have been visiting their aunt, Mrs. J. Q. Wheat since last spring, departed for their home in San Rafael, California on Friday, October 1st. They said that the summer spent here was the hottest they ever saw. We hope they will return again next summer. It is not likely that Kansas will have another such a summer for many years.

A citizen asks The Index to enter a protest against the habit of the street sprinkler man in throwing water on the street crossings while sprinkling. Before the rain last week the crossings were kept muddy by the sprinkler, and this was the case during most of the summer. The sprinkler should be "shut off" at the crossings and it would be well for the street commissioner or marshal to see that this is done when sprinkling is renewed.

Charley Colcord who left Medicine Lodge in 1888 a "busted community" but later became one of the wealthiest men in Oklahoma City, has just gotten up against a \$30,000 suit. It seems that one of his tenants in Oklahoma City got to selling "booze" and the law in that state makes the landlord liable to a fine of \$1000 a day for every day he allows a lessee to use his property in which to conduct such unlawful business. But Mr. Colcord could pay this and still have plenty of the "long green" left.

M. C. Beasley, foreman of the Cresset office, had the misfortune to lose his fine driving horse last week. His father, who was visiting him, started to drive through to Caldwell. On arriving at Anthony the first evening after leaving here, the horse took sick with the colic and although a veterinary was with him all night the horse died the following morning. The trouble was not due to over-driving for an entire day was consumed in driving from here to Anthony, and there was nothing in the feed that should have produced such a result. This horse was one of the best drivers in town and it means a loss of \$200 to the owner. Our printer friend is usually lucky but this is one case when the fortune wheel went wrong. Sympathy will not replace the loss but we desire to offer it anyway.